

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED:
YIJIA ZHANG	:	VIOLATIONS: 18 U.S.C.
	:	§§ 1030(a)(5)(A) and
	:	1030(c)(4)(A)(i)(I) (Unauthorized
	:	Damage to a Protected Computer – 1
	:	count); 18 U.S.C. § 2314 (Interstate
		Transportation of Stolen Property –
		1 count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this Indictment, Company A was a business located in the Eastern District of Pennsylvania.
2. At all times material to this Indictment, defendant YIJIA ZHANG was employed by Company A as a computer systems manager.
3. Beginning at a time as early as in or about December 2009 and continuing up to and including on or about July 4, 2010, defendant YIJIA ZHANG stole confidential company documents by downloading them from Company A's network to his Company desktop computer and then transferring them through a server known as DCNETQOSRA1 (hereafter "Server 1") to Internet storage sites that ZHANG maintained in Sweden and Germany.
4. Server 1 was used to run a suite of services known as Network Quality of Service. Its sole function was to monitor the traffic on Company A's network. It was not intended to store

files or to establish Internet connections. Company A's network was involved in interstate and foreign commerce and communications.

5. At all times material to this Indictment Server 1 was a "protected computer," that is, it was a computer that was used in and affecting interstate and foreign commerce and communication.

6. On or about Wednesday, June 30, 2010, defendant YIJIA ZHANG gave written notice that he was leaving Company A and that his last day would be July 6, 2010.

7. On or about Monday, June 28, 2010 defendant YIJIA ZHANG copied approximately 6,700 confidential Company A files from the network to his Company desktop computer.

8. On or about Monday, June 28, 2010 defendant YIJIA ZHANG transferred confidential company documents from his Company desktop computer to Server 1.

9. On or about Saturday, July 3, 2010, and Sunday, July 4, 2010, defendant YIJIA ZHANG entered the company premises, although he was not scheduled to work and there was no work that required his presence.

10. On or about Saturday, July 3, 2010, defendant YIJIA ZHANG copied approximately 2,800 confidential files from Company A's network to his Company desktop computer.

11. On or about Sunday, July 4, 2010, defendant YIJIA ZHANG copied approximately 300 confidential files from Company A's network to the his Company desktop computer.

12. On or about Sunday, July 4, 2010, defendant YIJIA ZHANG transferred confidential company documents from his Company desktop computer to Server 1.

13. The files referred to in Paragraphs 7, 10, and 11 contained sensitive information regarding the operation and development of Company A's computer network.

14. On or about July 4, 2010, defendant YIJIA ZHANG used Server 1 to establish an Internet connection and transferred confidential Company A files out of the Company network.

15. At all times material to this Indictment, the Company's Information Security Policy prohibited the downloading of sensitive Company information to storage devices that were not owned by Company A.

16. At all times material to this Indictment, Company A's Intellectual Property policy provided that employees could only use proprietary information for Company purposes. The policy prohibited the copying, destroying, and misappropriating of any Company proprietary information. The policy defined proprietary information to include information technology processes, services, systems, and products and information security strategies, policies, systems, and procedures.

17. On or about July 4, 2010, just before logging out of Company A's computer network and leaving the premises, defendant YIJIA ZHANG deleted files from Server 1 that were critical to its intended function as a Network Quality of Service server. The removal of these files stopped Server 1 from functioning as intended and eliminated log files that would have shown the activity on Server 1.

THE CHARGES

18. On or about July 4, 2010, in the Eastern District of Pennsylvania, defendant

YIJIA ZHANG

knowingly caused the transmission of information, codes and commands to Server 1 and as a result of such conduct, intentionally caused damage, without authorization, to Server 1, a protected computer. This conduct caused a loss to Company A of at least \$5,000.

In violation of Title 18, United States Code, Sections 1030(a)(5)(A) and 1030(c)(4)(A)(i)(I).

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 17 of Count One are hereby incorporated by reference.
2. Between in or about August 2009 and on or about July 4, 2010, in the Eastern District of Pennsylvania, defendant

YIJIA ZHANG

transported, transmitted, and transferred in interstate and foreign commerce, goods, wares, and merchandise of the value of \$5,000 or more, that is confidential files of Company A, knowing the same to have been stolen, converted, and taken by fraud.

In violation of Title 18, United States Code, Section 2314.

A TRUE BILL:

FOREPERSON


ZANE DAVID MEMEGER
United States Attorney